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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,382

02/20/2004

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MS1-2014US

6418

22801 7590 07/10/2009

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EXAMINER

BELOUSOV, ANDREY

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

07/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/783,382	<b>Applicant(s)</b> MATTHEWS ET AL.	
	<b>Examiner</b> ANDREY BELOUSOV	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-25,27-49 and 51-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-25,27-49 and 51-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/6/2009</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This action is in response to the filing of 4/6/2009. Claims 1, 3-25, 27-49 and 51-65 are pending and have been considered below.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-8, 10-12, 14-19, 21, 23-25, 31-32, 34-36, 38-43, 45, 47-49 and 54-56, 58-63, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilbert (2003/0088570) in view of Enin (Batch Launcher 1.0 Feb 10, 2003 release.)

**Claim 1, 25, 48, 49:** Hilbert discloses a user interface for enhancing a computing session by providing seamless continuity when a user logs onto the computing system, the user interface comprising:

- a. a logon page which is displayed to the user prior to logging onto the computing system, the logon page including a user-identifiable indicator ("Toru", Fig. 3) corresponding to the user, wherein the user-identifiable indicator is associated with a selectable logon control on the logon page (Fig. 3, par 74); and
- b. a user interface start page (Fig. 5: 500) displayed in response to user selection of the selectable logon control via the logon page, (Fig. 3-4-5)

Art Unit: 2174

- c. the user interface start page displayed to the user after a first transition (Fig. 3-4-5) from the logon page but prior to a second transition to a desktop page (Fig. 5-9),
- d. wherein the user interface start page (Fig. 5: 500) and the desktop page (Fig. 9) each include the user-identifiable indicator corresponding to the user (Fig. 5: 520, Fig. 9, "Toru"),
- e. wherein the user-identifiable indicator is displayed uninterrupted throughout the first transition (Fig. 3-4-5) and throughout the second transition (Fig. 5-9) , and
- f. wherein the user interface start page further includes user selectable controls (Fig. 5: 540, information categories; par. 77) from one or more regions (par. 77: "additional screen and pages", e.g. Fig. 9) of the desktop page (Fig. 9; par. 77-79) which is displayed after the second transition,
- g. each of the user selectable controls configured to initiate a display of information associated with the user when selected (par. 77-79); and

However, Hilbert does not explicitly disclose:

- h. wherein the user interface start page further comprises a start control that is user-selectable to initiate that multiple application programs start together at approximately a same time after the transition to the desktop and after a single user input.

Enin discloses a Batch Launcher application for use on an operating system, including a

Art Unit: 2174

- i. a start control that is user-selectable to initiate that multiple application programs start together at approximately a same time after the transition to the desktop and after a single user input (pg. 1-2.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include controls for multiple application initiation as taught by Enin within the confines of Hilbert. One would have been motivated to include the teaching of Enin in Hilbert as Enin is an application for Windows NT (par. 87) so as to compliment the launching of directories of recent documents of Hilbert.

**Claim 10, 34, 58:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a settings change control configured for user-selection to change display settings of the user interface start page (par. 57, 71)

**Claim 14:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of resources that each correspond to at least one of (i) a resource recently accessed by the user and (ii) a resource designated for user-selection from the user interface start page (Fig. 5.)

**Claim 60:** Hilbert and Enin disclose a one or more computer readable medium as recited in claim 49. Hilbert further discloses further comprising computer executable

Art Unit: 2174

instructions that, when executed, direct the computing device to display the user-selectable controls to include a list of resources that are each associated with the user (Fig. 5.)

**Claim 15, 38:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of resources that each correspond to a resource recently accessed by the user (par. 71), and wherein a resource is initiated for display when the corresponding user-selectable control is selected and after the transition to the desktop page (par. 77.)

**Claim 16, 39:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of resources that each correspond to a resource designated for user-selection from the user interface start page, and wherein a resource is initiated for display when the corresponding user-selectable control is selected and after the transition to the desktop page (par, 71, 77.)

**Claim 17, 40, 41, 61:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of documents that each correspond to at least one of (i) a document recently accessed by the user and (ii) a document designated for user-selection from the user interface start page (par. 71. 77.)

Art Unit: 2174

**Claim 18, 42, 43, 62:** Hilbert and Enin disclose a user interface as recited in claim 1.

Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of directory locations that each correspond to at least one of (i) a directory location recently selected for use by the user and (ii) a directory location designated for user-selection from the user interface start page (par. 79.)

**Claim 19, 63:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to at least one of (i) an application program recently selected for use by the user and (ii) an application program designated for user-selection from the user interface start page (par. 51, par. 70, Fig. 1: 102.)

**Claim 21, 45:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to an application program designated for user-selection from the user interface start page, and wherein an application program is initiated when the corresponding user-selectable control is selected and after the transition to the desktop page (par. 51, 77.)

**Claim 6, 30, 54:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a time-based

Art Unit: 2174

display of information corresponding to an environment associated with the user (par. 51.)

**Claim 7, 31, 55:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a date-based display of information corresponding to an environment associated with the user (par. 51.)

**Claim 8, 32, 56:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a date-based user-selectable control corresponding to an application program associated with the user (par. 51.)

**Claim 23, 47, 65** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user selectable controls of the user interface start page include a list of e-mail notifications that each correspond to an e-mail received after a previous computing session was discontinued (Fig. 18: S8110.)

**Claim 24:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user selectable controls of the user interface start page include a list of e-mail notifications that each correspond to an e-mail received after a previous computing session was discontinued, and wherein an e-mail is configured to be



Art Unit: 2174

displayed when the corresponding e-mail notification is selected and after the transition to the desktop page (Fig. 18-19, par. 87.)

**Claim 11, 35, 59:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a desktop selection control configured for user-selection to select from one or more desktop pages each corresponding to the user and each having a unique display configuration (Fig. 9-12.)

**Claim 12, 36:** Hilbert and Enin disclose a user interface as recited in claim 1. Hilbert further discloses wherein the user interface start page further comprises a desktop selection control configured for user-selection to select from one or more desktop pages each corresponding to the user and each having a unique display configuration of any of the one or more regions of the desktop page (Fig. 9-12.)

3. Claim 3-5, 27-30, and 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilbert in view of Enin and in further view of Langer, (“Visual Quickstart Guide Mac OS X 10.1”, Maria Langer, 2002.)

**Claim 3, 27, 51:** Hilbert and Enin disclose a user interface as recited in claim 1, wherein the user interface start page further comprises a start control configured to initiate that a group of application programs start together at approximately a same time after the

Art Unit: 2174

transition to the desktop page. However Hilbert and Enin do not explicitly disclose that the group of application programs includes application programs executing when a previous computing session was discontinued. Langer discloses an operating system comprising a means to start back up a group of applications from before the computer was put to sleep (Langer, page 58.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications executing when a previous computing session was discontinued, as taught by Langer, in a user interface of Hilbert and Enin. One would have been motivated to include previous session applications in order to allow continuation of potentially interrupted task from the previous session.

**Claim 4, 28, 52:** Hilbert and Enin disclose a user interface as recited in claim 1, wherein the user interface start page further comprises a start control configured to initiate that a group of application programs start together at approximately a same time after the transition to the desktop page. However Hilbert and Enin do not explicitly disclose that the group of application programs including application programs often selected for use by the user. Langer discloses an operating system comprising a means to initiate applications often selected for use by the user (Langer, page 104.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications often selected for use by the user, as taught by Langer, in a user interface of Hilbert and Enin. One would have been motivated to include often selected for use by the user applications in order to provide a quick launch

Art Unit: 2174

of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

**Claim 5, 29, 53:** Hilbert and Enin disclose a user interface as recited in claim 1, wherein the user interface start page further comprises a start control configured to initiate that a group of application programs start together at approximately a same time after the transition to the desktop page. However Hilbert and Enin do not explicitly disclose that the group of application programs including application programs recently selected for use by the user. Langer discloses an operating system comprising a means to initiate applications recently selected for use by the user (Langer, page 106.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications recently selected for use by the user, as taught by Langer, in a user interface of Hilbert and Enin. One would have been motivated to include recently used by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

4. Claim 9, 20, 33, 44 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilbert in view of Enin and in further view of Rathbone.

**Claim 9, 33, 57:** Hilbert and Enin disclose a user interface as recited in claim 1.

However, Hilbert and Enin do not explicitly disclose wherein the user interface start

Art Unit: 2174

page further comprising a logoff control configured for user-selection to logoff the computing system and initiate a transition to a logon page that includes one or more selectable logon controls that each correspond to a different user of the computing system.

Rathbone discloses Windows XP Operating System wherein the user interface start page including a logoff control configured for user-selection to logoff the computing system and initiate a transition to a logon page that includes one or more selectable logon controls that each correspond to a different user of the computing system (logoff control: Fig. 4-3; transition to Welcome screen: page 73; Fig. 4-1.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teaching of Rathbone with the disclosure of Hilbert and Enin. One would have been motivated to combine the teaching of Rathbone with the disclosure of Hilbert and Enin as it would have been a mere design choice to include an already existing logoff control disclosed in Hilbert and Enin (Fig. 6) alternatively on the start page.

**Claim 20, 44:** Hilbert and Enin disclose a user interface as recited in claim 1. However, Hilbert and Enin do not explicitly disclose wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to an application program recently selected for use by the user, and wherein an application program is initiated when the corresponding user-selectable control is selected and after the transition to the desktop page.

Rathbone discloses a similar user interface of a start page wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to an application program recently selected for use by the user, and wherein an application program is initiated when the corresponding user-selectable control is selected and after the transition to the desktop page (Page 167: applications, recently accessed, can be loaded (initiated for display) by clicking on it: page 166.) Therefore it would have been obvious to one having ordinary skill in the art at the time invention was made to include a list of recent application programs on the start page in the combination of Hilbert and Enin. One would have been motivated to include a list of recently used application programs to the combination of Hilbert and Enin so as to compliment the list of recent documents and other automatically created user interface preferences as suggested in Hilbert.

5. Claims 13 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilbert in view of Enin, and in further view of Ricart, (The Complete Idiot's Guide® to Linux, Second Edition.)

**Claim 13, 37:** Hilbert and Enin disclose a user interface as recited in claim 1. However Hilbert and Enin do not explicitly disclose wherein the user interface start page further comprises a desktop selection control configured for user-selection to select from one or more desktop pages that include at least one of a work environment desktop, a home environment desktop, a weekend activities desktop, and a weekday activities desktop.

Art Unit: 2174

Ricart, discloses a similar user interface start page including a desktop selection control (“virtual desktop buttons,” page 67) configured for user-selection to select from one or more desktop pages (“virtual desktops,” page 67) pages that can be named anything the user wants (page 71,) including naming them as “work,” “home,” “weekend,” or “weekday”. The Examiner considers it immaterial as to how the desktop pages (“virtual desktops”) are named, and that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a “work,” “home,” “weekend,” or “weekday” titled desktop page by default, instead of “one,” “two,” “three,” or “four.” Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the desktop page selection control from Ricart to Hilbert and Enin. One would have been motivated to include a desktop page selection control, as per Ricart disclosure, as part of the user interface start page so as to “perform different tasks that require you to run various groups of applications at the same time” (page 66, Ricart) while at the same time allowing for intuitively named desktop pages to appropriately correspond to the various groups of applications.

6. Claims 22, 46 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilbert in view of Enin, and in further view of Grebler, (“Lindows Fast & Easy”).

**Claim 22, 46, 64:** Hilbert and Enin disclose a user interface as recited in claim 1.

However, Hilbert and Enin does not explicitly disclose wherein the user-selectable controls of the user interface start page include a list of on-line users that each

Art Unit: 2174

correspond to a particular user selected for display notification when the particular user is on-line. Grebler discloses an open source operating system including a free Instant Messenger software with user-selectable controls that include a list of on-line users ("buddies") that each correspond to a particular user selected for display notification when the particular user is on-line (page 1, "Only buddies that are online will show up in the Buddy List.") Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the desktop page selection control from Grebler to Hilbert and Enin. One would have been motivated to include the online user notification list so as to incorporate this frequently used and immediately sought after information all in one readily available place.

### ***Response to Arguments***

Applicant's arguments filed 4/6/2009 have been fully considered but they are not persuasive.

**Argument 1:** Applicant argues that the Enin is a teaching from a web page hosted by Simtel.net which describes a batch launcher application having a release date of Feb 10, 2003, and as such what appears in the web page hosted by Simtel.net does not appear until Feb 28, 2007, which is more than 3 years after the filing of the instant application, therefore any teaching about Batch Launcher 1.0 found within the web page is immaterial to the application as it does not constitute prior art.

The Examiner respectfully disagrees. The rejection is based and relies on the batch launcher application as released on Feb 10, 2003. The later dated extrinsic

Art Unit: 2174

evidence is of the same central features that were available to the public through the Feb 10, 2003 release of the batch launcher application.

**Argument 2:** Applicant argues that Hilbert teaches that his interface is on different computing system than what is being claimed.

The Examiner respectfully disagrees. The cited “multi-user document devices” in Hilbert are within the definition of a “computing system” that is claimed. Regardless, the claimed invention is towards an interface, and as such it is patently immaterial and without a functional substance what type of a computing system the invention is practiced on, as all cited “multi-user document devices” are more than capable to operate the claimed features of the invention as illustrated by Hilbert.

**Argument 3:** Applicant argues that Hilbert does not teach “a selectable logon control on the logon page.”

The Examiner respectfully disagrees. Hilbert discloses that identification (selection) may be through a key entry associated with the user, such as a login and/or a password (par. 74.)

**Argument 4:** Applicant argues that Hilbert does not show “wherein the user-identifiable indicator is displayed uninterrupted throughout the first transition and throughout the second transition.”

The Examiner respectfully disagrees. Hilbert discloses (par. 78-79) that Fig. 6-12 are exemplary representations of personal resources associated with the personal portal (start page, 500) that may be accessed (transitioned to.) Hilbert discloses in Figure 9 the user-identifiable indicator, it is immaterial whether one of the possible (such



as Fig. 6) personal resources to which the user can access does not contain the indicator, as it is sufficient, in order to read on the claims, that another possibility (such as in Fig. 9) shows the indicator.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/  
Primary Examiner, Art Unit 2174

AB  
6/30/2009